

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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AGNES I. SWARTZ,

Plaintiff,

v.

Case No. 03-CV-72270-DT

JO ANNE B. BARNHART, COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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**ORDER RE-OPENING AND REMANDING CASE**

On July 13, 2006, the Sixth Circuit Court of Appeals issued a decision reversing this court's September 15, 2004 opinion and instructing the court to remand this action to the Commissioner. *Swartz v. Comm'r of Soc. Sec.*, No. 04-2437, (6th Cir. 2006).

The mandate was filed on September 11, 2006. Accordingly,

IT IS ORDERED that the clerk of the court is DIRECTED to re-open this case.

IT IS FURTHER ORDERED that this action is REMANDED to the Commissioner for further proceedings consistent with the Sixth Circuit's opinion.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: October 6, 2006

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 6, 2006, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522